

The Salisbury Planning Board held its regular meeting on Tuesday, May 27 , 2003, in the City Council Chambers of the Salisbury City Hall at 4:00 p.m. with the following being present and absent:

PRESENT: Fred Dula, Rodney Queen, Jerry Wilkes, Lou Manning, Sean Reid, Mitzi Clement, Sandy Reitz, Brian Miller, Len Clark, Eldridge Williams, Jeff Smith

ABSENT: Ken Mowery

STAFF: Harold Poole, Dan Mikkelson, Hubert Furr, Tammy File

The meeting was called to order by Chairman Dula.

INTRODUCTION OF NEW BOARD MEMBER

Following the County Commissioners' appointment of Mitzi Clement as our new ETJ member, she was welcomed to the Planning Board. Ms. Clement is a nurse at the VA Hospital, and listed "environmental" as an area of interest.

GROUP DEVELOPMENT

G-5-94 Town Creek Commons, outparcel #7 – Austin's Restaurant

C. Scott Skidmore, for J.D. Skidmore, Inc., submitted the application for the construction of 9,310 square foot restaurant at 205 North Arlington Street. All zoning criteria have been met. The Technical Review Committee recommends approval of the application, as submitted.

Sean Reid said he felt there should be connectivity within the development, even though we had not required it initially for Comfort Inn, Pizza Hut, and Outback. [NOTE: Staff raised that issue with the Planning Board when the development began, but Planning Board rejected the idea then.]

Jerry Wilkes asked who paid for the cul-de-sac (or traffic circle) that's to be on the I-85 side of the Austin's outparcel. It's considered to be a city street, which extends from Cedar Street to provide more public access allowing more outparcels to be developed. The City is requiring Austin's to put in that cul-de-sac which, because it's a city street, will have sidewalks around it.

Brian Miller said he could understand North Arlington Street being required to have sidewalks because it's a public street, but that the "driveways" that connect some outparcels should not be required to have sidewalks.

Jeff Smith isn't happy with the "hodge-podge" development that's going on in Town Creek Commons.

Len Clark said that paths may be worn along the roadway, which would indicate where sidewalks preferably should be located.

Rodney Queen made the motion to approve the site plan as submitted, Lou Manning seconded the motion with a 9-0 vote. Eldridge Williams stated that he wouldn't vote one way or the other. Harold had told new ETJ member Mitzi Clement before the meeting that if she didn't feel comfortable voting the first meeting, she wouldn't be required to. She didn't vote. Ken Mowery was absent from the meeting.

Presentation by Ken Jefferies, Store Manager for Wal-Mart

Mr. Jefferies, Store Manager for Wal-Mart read his letter to the Planning Board. It was as follows:

"On behalf of Wal-Mart, K-Mart, and Lowe's. I would like to request that the Salisbury City Council allow the Salisbury Planning Board to consider the planning requirement that large retail establishments be required to provide five (5) parking spaces per 1000 sq. ft. of retail space. Presently, Wal-Mart has 1043 parking spaces. Our store has approximately 205,800 sq. ft., with required parking spaces totaling 1021 spaces. We now only have 22 parking spaces for outside storage and display.

Recently, the Salisbury City Council reduced the amount of parking requirements for many retailers in certain zoning designations from five (5) spaces per 1000 sq. ft. of retail space to four (4) spaces per 1000 sq.ft. for those retailers under 200,000 sq. ft. It is Wal-Mart's request that the same consideration be given to those businesses over 200,000 sq. ft., such as Wal-Mart, Lowe's, and K-Mart. In my opinion a reduction to even 4.5 spaces per 1000 sq. ft. of space would allow our store to provide much needed services, especially as it relates to our spring and early summer garden supply business, without unduly limiting parking for our customers. This consideration would be greatly appreciated by the large retail establishments in Salisbury. We would be happy to work with the Salisbury City Council and the Salisbury Planning Board to address and solve this problem to the mutual satisfaction to all concerned parties.

On behalf of Wal-Mart, Lowe's, and K-Mart, I would like to thank you for the opportunity to present this request to you for your consideration."

Brian Miller made the motion to send this matter for discussion to the Legislative Committee, Sandy Reitz seconded the motion with all members voting AYE.

COMMITTEE REPORTS

Committee 3 met Friday, May 23, at 9:00 in the Council Chambers. Neighbors had been notified of the meeting and several attended, and were allowed to make comments.

Gray Stout and other representatives for the proponents were present and made the following concessions:

- (a) Elimination of the 3rd driveway.
- (b) Relocation of the dumpster so that it would be away from the neighborhood. The new location would be adjoining the existing dumpster.
- (c) Moving the building back farther from the street (from 35 to 43 feet) in an attempt to save even more trees.
- (d) Elimination of the “excess” parking (14 parking spaces were eliminated, so that 70 parking spaces would be provided for the 14,000 sq. ft. building – which is the minimum our Ordinance allows for parking spaces.
- (e) Relocation of parking spaces, so that they would be farther back from Mitchell Avenue.
- (f) Additional landscaping. According to Ken Mowery, Committee Chair, the new landscaping plan would provide four (4) times as much landscaping as our Ordinance requires.
- (g) Lighting to be more pedestrian-friendly (presumably, it would be lowered) and shine more directly on the property being served.

Brian Miller made the motion to approve the revised site as submitted, Rodney Queen seconded the motion with a 9 –1 vote.

The Gateway Committee met Friday, May 16, at 8:00 a.m., in the 1st Floor Conference Room of City Hall. Jeff Smith gave a brief report to the Board on the progress of the Gateway Committee. The committee is reviewing the existing VCOD (Visual Corridor Overlay District) Ordinance, looking for potential amendments in an effort to make the regulations more developer-friendly. The most recent part reviewed by the Gateway Committee has been the “design guidelines” chapter, which help determine what the potential building will look like. The committee is looking for greater flexibility in the requirements.

Jeff said the next meeting will highlight the history of the VCOD, from its inception as a concept in 1995. The next committee meeting is set for Friday, May 30, at 8:00 a.m., in the 1st floor conference room at City Hall.

The West Innes Street Zoning Special Committee conducted its second meeting Wednesday, May 21, at 7:30 a.m., in the Rowan Regional Hospital Cafeteria. The Committee reviewed maps and data prepared by staff, which indicated what property or properties could become nonconforming as a result of downzoning. On the map the Committee looked at West Innes Street in the area (which has B-6 zoning), as well as the M-2 zoned area. The Committee discussed not only potential nonconformities to those properties, but potential impact M-2 zoning may have on adjoining neighborhoods- specifically, the Jersey City neighborhoods and the Ellis Street Graded School historic district.

The next meeting is scheduled for Thursday, June 12, at 9:00 a.m. in the Council Chambers, and invite those persons owning properties in the M-2 zoned areas, as well as people from the two neighborhoods of Jersey city and Ellis Street Graded School.

The Legislative Committee gave its status report on its study of the Subdivision Ordinance and Zoning Ordinance- specifically, the lot depth portion of the Subdivision Ordinance, as well as its minimum requirements for lot area and lot width. From the Zoning Ordinance, the Committee is studying front yard setbacks in the SFC, R-6, and R-6A districts. Lot depth is a subject referred to only in the Subdivision Ordinance, where 125 feet is the minimum standard, regardless of the Zoning District. Minimums in the Subdivision Ordinance are also set for lot area and lot width, dependent on whether public utilities are available. Those minimums differ from those listed in the Zoning Ordinance (which vary by district), and even differ in the Zoning Ordinance by district as residential uses change (e.g., they are different for two family vs. single family use in the R-6 district, and, in the R-6A district, differ among multi-family, two family, and single family uses). The front yard setback of 30 feet in SFC, R-6, and R-6A may be able to be reduced- especially with the sidewalk requirements. Front yard setbacks of 25 or even 20 feet do not look so awkward if they are facing a sidewalk.

The next meeting scheduled is June 6, at 8:00 a.m., at IHOP to study the Wal-Mart request.

There being no further business to come before the Board, the meeting was adjourned.

Chairman

Secretary